

**PROFESSIONAL LICENSURE DIVISION[645]**

**Notice of Intended Action**

**Proposing rule making related to polysomnography licensure fees and providing an opportunity for public comment**

The Board of Respiratory Care and Polysomnography hereby proposes to amend Chapter 5, “Fees,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code chapters 147 and 152B.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapters 147 and 152B.

*Purpose and Summary*

This proposed rule making seeks to amend polysomnography license fees. When polysomnography licensure first started, fees were set at a higher rate to pay back startup costs associated with licensing the profession. Those startup costs have been paid back. This rule making seeks to reduce the higher rate polysomnographers are currently paying for initial licensure, renewal, and reactivation to the same rate respiratory therapists pay.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board no later than 4:30 p.m. on March 1, 2022. Comments should be directed to:

Tony Alden  
Professional Licensure Division  
Lucas State Office Building  
321 East 12th Street  
Des Moines, Iowa 50319  
Phone: 515.281.4401  
Fax: 515.281.3121  
Email: [tony.alden@idph.iowa.gov](mailto:tony.alden@idph.iowa.gov)

*Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 2, 2022  
9 to 10 a.m.

Fifth Floor Conference Room 526  
Lucas State Office Building  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making. In an effort to ensure accuracy in memorializing a person's comments, a person may provide written comments in addition to or in lieu of oral comments at the hearing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **5.17(1)“b”** as follows:

*b.* The initial license fee for a polysomnographic technologist license is ~~\$330~~ \$75, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

ITEM 2. Amend paragraph **5.17(2)“b”** as follows:

*b.* The biennial license renewal fee for each biennium for a polysomnographic technologist license is ~~\$330~~ \$75.

ITEM 3. Amend paragraph **5.17(4)“b”** as follows:

*b.* The reactivation fee to practice as a polysomnographic technologist is ~~\$390~~ \$135, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.